

Serial 80
Statute Law Revision Bill (No. 2) 2002
Dr Toyne

**A BILL
for
AN ACT**

to revise and correct the law of the Territory in minor respects

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NORTHERN TERRITORY OF AUSTRALIA
STATUTE LAW REVISION ACT (NO. 2) 2002

No. of 2002

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NORTHERN TERRITORY OF AUSTRALIA

No. of 2002

AN ACT

to revise and correct the law of the Territory in minor respects

[Assented to 2002]

[Second reading 2002]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Statute Law Revision Act (No. 2) 2002*.

2. Amendments of *Companies (Trustees and Personal Representatives) Act*

(1) Section 13 of the *Companies (Trustees and Personal Representatives) Act* is amended by omitting from subsection (1)(a) all the words after "with the" and substituting "Commissioner of Consumer Affairs appointed under section 6 of the *Consumer Affairs and Fair Trading Act*".

(2) Section 36 of the *Companies (Trustees and Personal Representatives) Act* is amended –

(a) by omitting subsection (1) and substituting the following:

"(1) If the Regulations provide for the lodgement of a prescribed statement for the purposes of this section, a trustee company must lodge that statement with the Commissioner, together with any prescribed documents, during the prescribed months in each year.";

- (b) by omitting from subsections (3) and (4) "prescribed person" and substituting "Commissioner";
- (c) by omitting subsection (5); and
- (d) by adding at the end the following:

"(7) In this section –

'Commissioner' means the Commissioner of Consumer Affairs appointed under section 6 of the *Consumer Affairs and Fair Trading Act*."

3. Amendment of Legal Practitioners Regulations

Regulation 2B of the Legal Practitioners Regulations is amended by inserting "The Australian Government Solicitor" after "The Attorney-General's Department of the Commonwealth of Australia".

4. Amendments of *Misuse of Drugs Act*

(1) Section 8C of the *Misuse of Drugs Act* is amended by adding at the end of subsection (1) the following:

"Penalty: Imprisonment for 7 years."

(2) Section 34 of the *Misuse of Drugs Act* is amended –

- (a) by omitting from subsection (1) "drug," and substituting "drug or";
- (b) by omitting from subsection (2) "drug," (all references) and substituting "drug or"; and
- (c) by omitting from subsection (13)(d) "drug," and substituting "drug or".

5. Revision of other Acts

The Acts specified in Schedule 1 are amended as set out in that Schedule.

6. Revision of other Regulations

The Regulations specified in Schedule 2 are amended as set out in that Schedule.

7. Amendment by regulation authorised

A regulation amended by this Act may be amended or repealed by a regulation as if the amendments had been made by a regulation.

SCHEDULE 1

Section 5

Provision	Amendment	
	omit	substitute
<i>Administration and Probate Act</i>		
Section 81(8)	necessary; and	necessary and
<i>Associations Incorporation Act</i>		
Section 4(1)		
– definitions of "Deputy Registrar" and "Registrar"	all the words after "Associations"	
<i>Co-operatives Act</i>		
Section 311	5.5 5.6,	5.5, 5.6,
<i>Criminal Records (Spent Convictions) Act</i>		
Section 3(1)		
– paragraph (f) of the definition of "law enforcement agency"	Northern Territory Attorney-General's Department	Agency primarily responsible for law and the administration of justice
<i>Electrical Workers and Contractors Act</i>		
Part V	55A. (second reference) (see note)	55G.

Fisheries Act

Section 4(1)

– definition of "Joint Authority"	established under section 61	in existence for the purposes of Part 5
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Section 58(1)	Part V	Part 5
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Section 58(2)	Part IVA	Part 4A
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Gaming Machine Act

Section 146(1)(b)	the Australian Society of Certified Practising Accountants issued by the Society	CPA Australia in accordance with the by-laws of CPA Australia
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Juries Act

Schedule 7	the Northern Territory Attorney-General's Department, Department of Correctional Services or the Office of Courts Administration	an Agency primarily responsible for law and the administration of justice, prisons and correctional services or the administration of courts
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Liquor Act

Section 109	<i>Lottery and Gaming Act</i> (all references)	<i>Gaming Control Act</i>
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Local Government Act

Section 182(2)(a)	Liquor Commission	Commission within the meaning of that Act
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Mineral Royalty Act

Section 4B(1)(q)	section 73, 74 or 75	section 174B or 184
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Section 20(5)	"eligible deduction"	"eligible exploration expenditure"
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Mining Act

Section 13

- definition of "block" means, subject to section 22(1A), means

***Ombudsman
(Northern Territory)
Act***

Section 3(1)

- paragraph (ed) of the definition of "administrative action" Liquor Commission under the *Liquor Act* as a result of which an application or request for a hearing under Part V of that Act Northern Territory Licensing Commission established by section 4 of the *Northern Territory Licensing Commission Act* as a result of which an application or request for a hearing under Part V of the *Liquor Act*

***Police Administration
Act***

- Section 147A(1) The The Minister or the

***Power and Water
Corporation Act***

- Section 15(2)(d) Authority Corporation
- Section 19 Authority Corporation
(all references)

***Prisons (Correctional
Services) Act***

- Section 20(2)(b) it, to a it – a

***Public Sector
Employment and
Management Act***

Section 4(3)(a)	Part 2 of Schedule 1 (other than the Commissioner)	Schedule 1
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***Registration of
Interests in Motor
Vehicles and Other
Goods Act***

Section 3(1)		
– paragraph (a) of the definition of "dealer"	the <i>Motor Vehicle Dealers Act</i>	Part 10 of the <i>Consumer Affairs and Fair Trading Act</i>

***Sexual Offences
(Evidence and
Procedure) Act***

Section 9(1)(c)	Northern Territory Attorney-General's Department	Agency primarily responsible for law and the administration of justice
	Department of Health and Community Services	Agency primarily responsible for health, welfare and community services

***Summary Offences
Act***

Section 45C		
– definition of "Commission"	Liquor Commission of the Northern Territory constituted under Part II of the <i>Liquor Act</i>	Northern Territory Licensing Commission established by section 4 of the <i>Northern Territory Licensing Commission Act</i>

**Water Supply and
Sewerage Services Act**

Section 82(1)	sewerage	sewerage services
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SCHEDULE 2

Section 6

Provision	Amendment	
	omit	substitute
Bail Regulations		
Regulation 5(3)	Crown Prosecutor	Director of Public Prosecutions
Schedule		
– Form 1, Part A.2	his undertaking I/We*	his or her undertaking or a bail condition I/we*
– Form 5, Notice of hearing	Crown Prosecutor	Director of Public Prosecutions
Co-operatives Regulations		
Schedule 9		
– item 4 relating to the Northern Territory	the whole item	
Education (College and School Councils) Regulations		
Regulation 14(d)(i)	the Australian Society of Certified Practising Accountants	CPA Australia

**Northern Territory
Treasury
Corporation
Inscribed Stock
Regulations**

Regulation 22(3)(a) incorporation; registration; or

Regulation 22(3)(b) the whole paragraph

ALTERATION TO SECTION HEADING

On the day on which the *Liquor Act* is amended by this Act, the heading to section 109 of the *Liquor Act* is altered by omitting "***Lottery and Gaming Act***" and substituting "***Gaming Control Act***".

Note

Section 55A (second reference) of the *Electrical Workers and Contractors Act* was inserted by section 113 of the *Criminal Law (Regulatory Offences) Act* (No. 68, 1983) and appears incorrectly as section 55AA in the reprint of the *Electrical Workers and Contractors Act* dated 20 September 1994.